

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**CATALINA DAVIS**  
**Plaintiff**

**v.**

**CARABETTA**  
**Defendant**

**CASE NUMBER 05-30112-MAP**

**ANSWER**

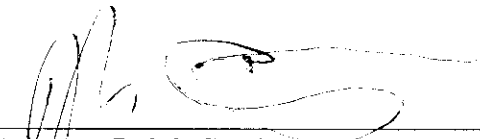
1. To the extent that paragraph 1 alleges any malfeasance or misfeasance or cause of action or an actionable claim, it is DENIED.
2. Defendant DENIES that Plaintiff was employed by Carabetta Management Company, DENIES that Plaintiff's work performance was satisfactory, DENIES that employees were rehired and DENIES that Plaintiff was not rehired because she filed a complaint at the Massachusetts Commission Against Discrimination.
3. Defendant ADMITS Plaintiff attended an investigation conference at the Massachusetts Commission Against Discrimination and DENIES that Plaintiff was not rehired because she had a complaint pending at the Massachusetts Commission Against Discrimination.
4. Defendant DENIES that the Plaintiff was the subject of unlawful retaliation or that it violated either Massachusetts General Laws 151B or Title VII of the Civil Rights Act of 1964.

11. Upon the expiration of Source One's contract, Plaintiff was not offered a contract with Baystate Property Management because of, among other legitimate reasons, her reputation for and history of violence towards tenants in the project where she had worked. This history of violence includes a knife fight between the Plaintiff and a tenant of the property which, upon information and belief, was initiated by the Plaintiff.

**WHEREFORE**, Defendant Demands that Judgment be entered in its favor; that Plaintiff take nothing; and that it be awarded attorney's fees and all other costs and fees associated with the defense of this matter.

Defendant Demands a trial by Jury.

August 19, 2005



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Attorney Ralph Carabetta  
364 Ocean Avenue  
Revere, Massachusetts 02151  
781 289 0000

5. To the extent that paragraph 1 alleges any malfeasance or misfeasance on the part of the Defendant, or a cause of action or an actionable claim, it is DENIED.

6. Defendant is without facts sufficient to either ADMIT or DENY the allegations of paragraph 6.

### **DEFENSES**

1. Plaintiff has failed to state a cause of action upon which relief can be granted.

2. Plaintiff has failed to name a legally cognizable Defendant from whom she can either maintain a cause of action or seek relief.

3. Plaintiff failed to include a jurisdictional statement with her complaint.

4. The Court lacks subject matter jurisdiction.

5. The Court lacks jurisdiction over either "Carabetta" or Carabetta Management Company.

6. Plaintiff failed to exhaust (or pursue) her administrative remedies.

7. Service of process in this matter is insufficient.

#### **Defendant further states that**

8. Carabetta Management Company is a Connecticut based corporation with a principal place of business at 200 Pratt Street, Meriden, Connecticut 06450.

9. Plaintiff was never employed by Carabetta Management Company. Plaintiff was an independent contractor to Baystate Property Management Company, a Massachusetts Corporation, as a cleaner. Plaintiff lost her contract when cleaning services were outsourced to Source One, an unrelated, independent corporate entity.

10. Upon information and belief, Plaintiff was hired by Source One.

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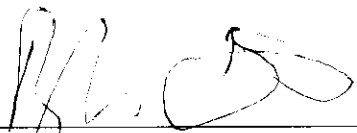
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Answer in the above captioned matter was served on the Plaintiff by mailing a copy prepaid first class United States postage to:

Catalina Davis  
64 Hill Street  
West Springfield, Massachusetts 01089

August 19, 2005

  
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364 Ocean Avenue  
Revere, Massachusetts 02151  
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